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DATE FILED: 4/7/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALLA KISELEVA,

Plaintiff,

-against-

MARK GREENSPAN, ADAM LITMAN,
BEAUTYFIX ENTERPRISES LLC d/b/a
BEAUTYFIX MEDSPA, BEAUTYFIX
MEDICAL PLLC d/b/a BEAUTYFIX MEDICAL
SPA, BEAUTYFIX HOLDINGS LLC, BEAUTY
FX SPA INC., and MAYA BENAYOUN,

Defendants.
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23-CV-9496 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on March 14, 2025, Defendants moved for summary judgment, *see* Dkts. 82–86;

WHEREAS on April 5, 2025, Plaintiff opposed Defendants’ summary judgment motion by filing two declarations (which appear largely duplicative of each other) after the April 4, 2025 deadline set by the Court, *see* Dkts. 77, 88–89;

WHEREAS Plaintiff’s opposition papers did not include a Rule 56.1 Statement or memorandum of law opposing Defendants’ motion, and Plaintiff’s declarations reference exhibits that were never filed, *see* Dkts. 88–89;

WHEREAS Local Civil Rule 56.1(b) requires the papers opposing a motion for summary judgment to include a Rule 56.1 Statement that contains correspondingly numbered paragraphs

admitting or denying, and otherwise responding to, each numbered paragraph in the statement of the moving party, as well a separate statement of counter-facts, if necessary;

WHEREAS Rule 4.G.ii of the Undersigned's Individual Practices in Civil Cases requires the moving party to provide the opposing party a Microsoft Word version of the 56.1 Statement, and the opposing party must reproduce each entry in the moving party's 56.1 Statement and set out the opposing party's response directly beneath each allegation in a 56.1 Counterstatement, such that, at the time the motion is fully briefed, the Court will have one, final consolidated 56.1 Statement; and

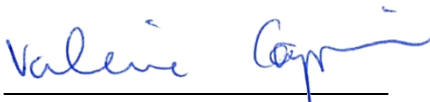
WHEREAS, although it is Defendants' burden as the moving parties to demonstrate that there is no genuine dispute regarding any material fact, and that Defendants are entitled to judgment as a matter of law, *see* Fed. R. Civ. P. 56(a); the Court requires Plaintiff's position on whether any facts are contested and whether her claims should proceed to trial;

IT IS HEREBY ORDERED that by **today, April 7, 2025, at 11:59 P.M.**, Plaintiff must correct her opposition papers. Plaintiff must file a 56.1 Counterstatement and is referred to Rule 4.G.ii of the Undersigned's Individual Practices in Civil Cases for direction on how to properly format the 56.1 Counterstatement. Plaintiff must also file a memorandum of law in opposition to Defendants' motion for summary judgment and ensure that all exhibits cited in her papers are filed via ECF.

If Plaintiff fails to timely correct her opposition papers by end of day today, the Court will treat Defendants' motion for summary judgment as unopposed.

SO ORDERED.

Date: April 7, 2025
New York, New York


VALERIE CAPRONI
United States District Judge